

# Memorandum



**Date:** October 23, 2012

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Resolution approving the Plat for KENDALL COMMONS RESIDENTIAL

Agenda Item No. 5(D)

## Recommendation

The following plat is hereby submitted for consideration by the Board of County Commissioners for approval. This plat is bounded on the north by SW 88 Street, on the east by SW 167 Avenue, on the south by SW 96 Street, and on the west by SW 172 Avenue. The Miami-Dade County Plat Committee, comprised of representatives from the Florida Department of Transportation, the Florida Department of Health, the Miami-Dade County School Board and Miami-Dade County Departments of Fire Rescue, Parks, Recreation and Open Spaces, Regulatory and Economic Resources, Public Works and Waste Management (PWWM), and Water and Sewer, recommends approval and recording of this plat.

## Scope

This plat is located within the boundaries of Commission District 11.

## Fiscal Impact/Funding Source

If this plat is approved, the fiscal impact to the County would be approximately \$20,600.00 per year for the annual maintenance cost of all public roads adjoining and lying within the boundaries of this plat once constructed which will be funded through the PWWM General Fund allocation.

## Track Record/Monitor

The Regulatory and Economic Resources Department, Development Services Division administers the processing of plats and waivers of plat, and the person responsible for this function is Raul A. Pino, P.L.S.

## Background

KENDALL COMMONS RESIDENTIAL (T-23245)

- Located in Section 6, Township 55 South, Range 39 East
- Commission District: 11
- Zoning: PAD
- Proposed Usage: Single family residences
- Number of parcels: 670
- This plat meets concurrency

## Plat Restrictions

- That SW 167th Avenue, SW 168th Avenue, SW 169th Place, SW 169th Path, SW 169th Passage, SW 170th Avenue, SW 170th Court, SW 170th Place, SW 170th Path, SW 170th Passage, SW 171st Avenue, SW 171st Court, SW 171st Place, SW 171st Path, SW 172nd Avenue, SW 90th Street, SW 90th Way, SW 90th Terrace, SW 90th Terrace Circle, SW 91st Street, SW 91st Terrace, SW 91st Lane Circle, SW 92nd Street, SW 92nd Street

Circle, SW 93rd Street, SW 94th Street, SW 94th Terrace, SW 94th Lane, SW 94th Way, SW 95th Street, SW 95th Terrace and SW 96th Street as illustrated on the plat, together with all existing and future planting, trees, shrubbery and fire hydrants thereon, are hereby dedicated to the perpetual use of the public for proper purposes, reserving to the dedicators, their successors or assigns, the reversion or reversions thereof whenever discontinued by law.

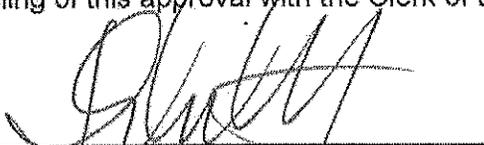
- That individual wells shall not be permitted within this subdivision, except for swimming pools, sprinkler systems and/or air conditioners.
- That the use of septic tanks will not be permitted on any lot or tract within this subdivision, unless approved for temporary use, in accordance with County and State regulations.
- That all new electric and communication lines, except transmission lines, within this subdivision, shall be installed underground.
- That Tract "A1", as illustrated on the Plat, is hereby dedicated for a Pump Station Site, and shall be owned and maintained by Miami-Dade County.
- That Tract "D2", as illustrated on the Plat, is hereby reserved for the installation and maintenance of public utilities, and shall be owned and maintained in accordance with a Miami-Dade County approved Homeowner's Association, and/or the Miami-Dade County approved Vizcaya in Kendall Community Development District or maintained by a Miami-Dade County approved Special Taxing District.
- That Tracts "A", "D", "E", "G", "R", "S", "T", "B1", "D1", "E1", "F1", "L1", "C2", "F2", "H2", "I2" and "J2", as illustrated on the Plat, are hereby reserved for public and/or semi-public use pursuant to Chapter 33-284 of the Miami-Dade County Zoning Code for the joint and several use of property owners within this subdivision and for the installation and maintenance of public utilities and landscaping, and shall be owned and maintained in accordance with a Miami-Dade County approved Homeowner's Association, and/or the Miami-Dade County approved Vizcaya in Kendall Community Development District or maintained by a Miami-Dade County approved Special Taxing District.
- That Tracts "C", "F", "I", "Y", "W1", "X1", "Y1", "Z1", "E2" and "G2", as illustrated on the Plat, are hereby reserved for Common Areas, for the joint and several use of the property owners within this subdivision, and as a means of pedestrian ingress and egress to the individual Lots and Tracts, and for the installation and maintenance of public utilities and landscaping, and shall be owned and maintained in accordance with a Miami-Dade County approved Homeowner's Association, and/or the Miami-Dade County approved Vizcaya in Kendall Community Development District or maintained by a Miami-Dade County approved Special Taxing District.
- That Tracts "H", "J", "K", "L", "M", "N", "O", "P", "W", "X", "Z", "H1", "J1", "K1", "P1", "S1", "U1", "A2", and "B2", as illustrated on the Plat, are hereby reserved for Common Areas for the joint and several use of the property owners within this subdivision and as a means of ingress and egress to the individual Lots and Tracts, and for the installation and maintenance of public utilities, and shall be owned and maintained in accordance with the Miami-Dade County approved Vizcaya in Kendall Community Development District or maintained by a Miami-Dade County approved Special Taxing District.
- That Tracts "B", "Q", "U", "V", "C1", "G1", "I1", "M1", "N1", "Q1", "R1", "T1", and "V1", as illustrated on the Plat, are hereby reserved for Common Areas, for the joint and several use of property owners within this subdivision, as a means of Pedestrian Access, for the installation and maintenance of public utilities and landscaping, and shall be owned and maintained in accordance with a Miami-Dade County approved Homeowner's Association, and/or the Miami-Dade County approved Vizcaya in Kendall Community Development District or maintained by a Miami-Dade County approved Special Taxing District.
- That Tract "O1", as illustrated on the Plat, is hereby reserved for Civic use, and shall be owned and maintained by a private entity or a Miami-Dade County approved Homeowner's Association and/or the Miami-Dade County approved Vizcaya in Kendall Community Development District or maintained by a Miami-Dade County approved Special Taxing District.

- That the Limited Access Right-of-Way lines depicted on the Plat are hereby designated for the express purpose of preventing direct vehicular access to and from the adjoining arterial road and/or Tracts.
- That the utility easements, depicted by dashed lines on the plat, are hereby reserved for the installation and maintenance of public utilities.
- That the landscape easement, depicted by dashed lines on the plat, is hereby reserved for the installation and maintenance of landscape materials.

**Developer's Obligation**

- Mobilization, clearing-grubbing, paving, sidewalks, curb and gutter, valley gutter, curb, drainage, street name signs, traffic control signs, striping, detectable warning surfaces, concrete barrier wall per FDOT Index 410, landscaping and monumentation. Bonded under Bond number 7856 in the amount of \$8,247,385.00.

To accommodate the Developer's deadlines and financial commitments, the resolution incorporates language to establish the effective date as the earlier of (1) ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



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Jack Osterholt, Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** October 23, 2012

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 5(D)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5(D)  
10-23-12

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING THE PLAT OF KENDALL COMMONS RESIDENTIAL, LOCATED IN THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 55 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY SW 88 STREET, ON THE EAST BY SW 167 AVENUE, ON THE SOUTH BY SW 96 STREET, AND ON THE WEST BY SW 172 AVENUE)

**WHEREAS**, Lennar Homes, LLC, a Florida limited liability company, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as KENDALL COMMONS RESIDENTIAL, the same being a replat of all of the Lots in Blocks 1 through 155, inclusive, and all of Tracts D, E, A2, A3, A4, A5, A6, A9, B2, B3, B4, B5, B6, B9, C2, C3, C4, C5, C6, C7, C9, D2, D3, D4, D5, D6, D8, D9, E2, E3, E4, E5, E6, E7, E8, E9, F2, F3, F4, F5, F6, F7, F8, F9, G2, G3, G4, G5, G6, G7, G8, G9, H2, H4, H6, H7, H8, H9, I2, I4, I5, I6, I8, I9, J2, J4, J5, J8, J9, K2, K4, K5, K6, K8, K9, L2, L4, L5, L9, M2, M4, M5, M7, M8, N2, N3, N4, N5, N7, O2, O5, O7, P2, P3, P4, P5, P7, Q2, Q3, Q4, Q5, Q8, R2, R5, R7, R8, S1, S2, S4, S5, S7, T1, T2, T4, T5, T7, U1, U2, U3, U4, U5, U7, U8, V1, V2, V3, V4, V5, V7, W1, W2, W3, W4, W5, W6, W7, W8, X1, X2, X4, X6, X7, X8, Y1, Y2, Y4, Y5, Y6, Y7, Y8, Z1, Z2, Z4, Z5, Z6, Z7, Z8, and those portions of Tracts B, B7, B8, C8, D7, H3, I7, J6, J7, K7, L6, L7, L8, M6, N8, O6, P8, Q7 and X5, all of “Kendall Commons”, according to the plat thereof, as recorded in Plat Book 166, at Page 73, of the Public Records of Miami-Dade County, Florida, and that portion of Tract D of the plat of “Kendall Commons Square”, according to the plat thereof, as recorded on Plat Book 168, at Page 93, of the Public Records of Miami-Dade County, Florida, and those portions of SW 90th Way, SW 171st Court, SW 171st Avenue, SW

91st Street, SW 170th Place, SW 170th Court, SW 170th Avenue, SW 90th Lane Circle, SW 169th Passage, SW 90th Street, SW 169th Path, SW 92nd Street, SW 91st Terrace, SW 170th Path, SW 93rd Street, SW 170th Passage, SW 170th Passage Circle, SW 94th Terrace, SW 95th Terrace, SW 171st Place, SW 94th Street, SW 171st Path, SW 94th Way, SW 169th Place, SW 168th Avenue, SW 95th Street, SW 91st Lane, SW 90th Terrace Circle, and any unnamed Public Dedicated Right-of-Way closed and vacated by Resolution No. R-529-12, all lying and being in the Northeast 1/4 and the Northwest 1/4 of Section 6, Township 55 South, Range 39 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said plat insofar as the authority of this Board is concerned have been complied with,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that said plat is hereby approved; that the dedication of the streets, alleys and other rights-of-way however designated or depicted on said plat is hereby accepted; that the Miami-Dade County Plat Restrictions as listed on said plat are approved and are to be enforced; that approval of the plat is not a waiver of any zoning regulations and that the requirements of the zoning existing on this land at the time this Resolution is approved shall be enforced whether or not the various parcels on this plat conform to those requirements; this approval is conditioned upon the proper execution of all documents required by the County Attorney's Office.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman  
Audrey M. Edmonson, Vice Chairwoman  
Bruno A. Barreiro  
Esteban L. Bovo, Jr.  
Sally A. Heyman  
Jean Monestime  
Rebeca Sosa  
Xavier L. Suarez  
Lynda Bell  
Jose "Pepe" Diaz  
Barbara J. Jordan  
Dennis C. Moss  
Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 23<sup>rd</sup> day of October, 2012. This resolution shall become effective upon the earlier of (1) ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

JM

John McInnis

